

## REMARKS

### **Rejections under 35 U.S.C. 103(a)**

The Examiner has rejected claims 1-2, 4-5, 7-11, and 14-17 under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,452,433 to *Nihart et al.* ("*Nihart*") in view of Applicant's admitted prior art (APA). *Nihart* teaches a management system for performing management operations with respect to system components in a protocol non-specific format (*see* Abstract).

### The Present Invention

The present invention permits an object manager to communicate with any number of repositories using any protocol. The claims require both a protocol indicator and a protocol-specific object.

### Claim 1

The Examiner has asserted that *Nihart* teaches creating a protocol specific object and returning the protocol specific object as "finding handles" and "returning a list of handles," respectively. Applicant respectfully submits that *Nihart* neither reasonably suggests nor teaches creating a protocol specific object. A handle, as taught by *Nihart*, specifies how to call each specified component (*see* col. 6 ll. 25-28). A handle is "stored" at a location directory within the Common Agent interface (*id.*). A handle, then, may be thought of as an address. Each process in the system is identified by an address stored in the Location Directory process within the Common Agent interface. As taught by *Nihart*, the handle (or address) is returned to the Common Agent Library Program so that the Library may issue a remote procedure call to each target component (*see* col. 10 ll. 37-45). The present claim, however, requires creating a protocol specific object. An object, as is well known in the art, comprises more than an address, rather, it is a self-contained entity that consists of both data and procedures to manipulate the data. Claim 1 specifically requires "a protocol-specific object having methods." The present claim further requires returning the protocol-specific object to the CIM object manager. That is, the object is returned to the object manager so that the object manager may actively communicate with a CIM repository regardless of protocol (*see* Specification p. 6 ll. 13-24). Thus, *Nihart* does not reasonably suggest or teach these elements of claim 1.

The Examiner has also asserted that *Nihart* teaches a CIM repository (“location directory process”) as in the present claim. Applicant respectfully submits that a CIM repository as required by claim 1 is not anticipated by *Nihart*’s location directory process. The location directory process as taught by *Nihart* is “a special purpose hierarchical database management process that contains a hierarchical database of all system components which are currently available for use” (*see* col. 6, ll. 30-33). The purpose of the directory, as noted above, is to determine whether a target component is registered for receiving management operations (*see* col. 9, ll. 53-67). A CIM repository, as required by the present claim, holds data objects that have been previously stored (*see* Specification p. 2, ll. 29-31). An object, as is well known in the art, comprises more than an address, rather, it is a self-contained entity that consists of both data and procedures to manipulate the data. Thus, a CIM repository that contains objects is not the same as a location directory process that holds system component information. Therefore, *Nihart* does not reasonably suggest or teach this element of claim 1.

Finally, Applicant respectfully submits that the Examiner’s secondary reference (local connection 28 of Figure 1) adds nothing to the primary reference to render independent claim 1 obvious nor does it reasonably suggest or teach a Repository Application Programming (API) as required by the present claim. In particular, Figure 1 shows a local connection 28 that uses a single protocol for communications from an object manager to a CIM repository (*see* Specification p. 3, ll. 8-9). By contrast, the Repository API as required by claim 1 establishes multiple connections using multiple protocols between multiple repositories and the CIM object manager by way of the required protocol-specific object that is created (*see* Fig. 2B). Therefore, the secondary reference does not reasonably suggest or teach this element of claim 1.

For at least the reasons stated above, Applicant believes claim 1 is patentable over the cited art and therefore respectfully requests reconsideration of the above rejection.

#### Claims 2-6

Claims 2, 4, and 5 include further limitations that depend directly from independent claim 1 and are believed to be patentable for at least the same reasons enumerated above. Further, as to claims 3 and 6, *Ismael et al.* does not cure the deficiency of the primary reference as stated above. Therefore the Applicants respectfully submit that claims 3 and 6 are patentable over the cited art for at least the same reasons as above.

#### Claim 7

The Examiner has rejected claim 7 as unpatentable over *Nihart* in view of local connection 28. With respect to elements common with claim 1, Applicant respectfully submits that those common elements render the claim patentable over the cited art for at least the same reasons as claim 1. Furthermore, *Nihart* teaches nodes (classes) that identify the component's object identifier (*see* col. 6, ll. 38-40). The present claim, however, discloses a factory class, a first class, and a second class. As is well known in the art, classes are categories of objects. For example, there might be a class called shape that contains objects, which are circles, rectangles, and triangles. The class defines all the common properties of the different objects that belong to it (*see* <http://www.webopedia.com/TERM/c/class.html>). Thus, nodes, which are essentially identifiers, are not the same as classes, which group objects functionally. Therefore *Nihart* does not reasonably suggest or teach these elements of claim 7.

For at least the reasons stated above, Applicant believes claim 7 is patentable over the cited art and therefore respectfully requests reconsideration of the above rejection.

#### Claims 8-13

Claims 8-13 include further limitations that depend directly or indirectly from independent claim 7 and are therefore also allowable over the cited art for at least the reasons stated for claim 7 above. Further, as to claim 12, *Ismael et al.* does not cure the deficiency of the primary reference as stated above. Therefore Applicant respectfully submits that claim 12 is patentable over the cited art for at least the same reasons as above.

#### Claims 14-17


Claim 14 is a computer-readable medium claim corresponding to independent claim 1 and is patentable over the cited art for at least the same reasons as stated in claim 1 above.

Claims 15-17 include further limitations that depend directly from independent claim 14 and are believed to be patentable for at least the same reasons enumerated above.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,

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